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Criminal Law & Procedure

US v. Szpyt, No. 13-1543

Order dismissing an indictment against defendants as a violation of the Fifth Amendment's double jeopardy clause is reversed, where the current indictment alleges a factually distinct and separate conspiracy from an earlier, related indictment and conviction which this court vacated due to a material variance.

Immigration Law

Dimova v. Holder, No. 13-1550

Petition for review of a decision of the Board of Immigration Appeals (BIA) finding petitioner removable under the alien smuggling provisions of the Immigration and Nationality Act and ordering her removed to her native Bulgaria is denied, where, although the record indicates that petitioner was put in a difficult position by someone she trusted, it also leaves no doubt that she knowingly and voluntarily assisted her friends as they attempted to cross illegally from Canada into the United States.

Criminal Law & Procedure, Sentencing

US v. Romero-Galindez, No. 13-2205

Following a guilty plea on a weapons charge, defendant, who many years earlier had four times over been convicted of murder, was sentenced as an armed career criminal to twenty years imprisonment. Defendant appeals, claiming an assortment of errors. The judgment is affirmed, where there is no error that would either invalidate defendant's guilty plea or require vacating his sentence.

Constitutional Law, Labor & Employment Law

Aponte-Ramos v. Alvarez-Rubio, No. 14-1050

Plaintiffs, current and former employees of defendant Puerto Rico State Insurance Fund Corporation (SIFC), allege that SIFC and its high level administrators selectively enforced Puerto Rico's merit principle against them in violation of the Equal Protection Clause. Summary judgment in favor of defendants is affirmed, where plaintiffs failed to identify similarly situated individuals treated differently by defendants.

Civil Rights, Constitutional Law, Criminal Law & Procedure, Health Law

Perry v. Roy, No. 14-1466

Plaintiff-inmate brought this action against defendant-nurses, alleging that the medical treatment he received from defendants for injuries resulting from a violent scuffle with prison guards did not meet the constitutional standard required by the Eighth and Fourteenth Amendments. Plaintiff now challenges the grant of summary judgment in favor of defendants and the resulting dismissal of his action. This case is remanded to the district court for further proceedings, where the record establishes that there are still issues of material fact in dispute that need to be decided by factfinders.